

March 2, 2017

Regular Meeting

Mayor McNinch called the regular meeting of the Denton Town Council to order at 7:00 PM on this date, leading everyone in the Pledge of Allegiance to the Flag.

Mayor McNinch thanked everyone one for coming and asked that the record reflect that all Councilmembers were present.

Councilman Porter asked for a correction to the February 2, 2017 Council meeting minutes, page 3485; to change “resided” over the meeting to “presided”.

Councilman Branson made a motion to approve the minutes of the February 2, 2017 Regular Meeting as amended, seconded by Councilman Lister, passing unanimously.

Mayor McNinch announced that the Town Council held an Executive Session on February 27, 2017, prior to the Working Session to discuss a personnel item.

Councilman Porter made a motion to approve the minutes of the February 27, 2017 Executive Session and Working Session as presented. Seconded by Councilman Branson, passing unanimously.

Public Hearing

Ordinance #683 – Accessory Structures

Mayor McNinch opened a Public Hearing at 7:04 PM to receive public comments on Ordinance #683 - An Ordinance repealing Chapter 128 Section 113, entitled, “Accessory Building Setback Requirements”, of the Town of Denton Code and adding a new section in Chapter 128, Section 26, entitled, “Accessory Structures”, hereby amending the standards for accessory structures in residential zoned districts and establishing standards for accessory structures in nonresidential zoned districts, and amending Chapter 128 Section 184, entitled Development Types or Land Uses requiring Site Plan Approval for Accessory Structures.

Mayor McNinch asked for comments from the State: there were none

Mayor McNinch asked for comments from the County: there were none

Mayor McNinch asked for comments from the Council: there were none

Mayor McNinch asked for comments from the Public:

Mr. Keith Neal, owner of Nuttle Builders, 1139 Industrial Parkway, spoke in support of the Ordinance.

With no further comments, Mayor McNinch closed this public hearing at 7:05 PM.

Petitions, Remonstrance’s and Communication

Ridgely Car Show Presentation Video

Mr. Joe Anderson and Mr. Joe Parlanti, from CTS in Ridgely, and organizers of the annual Ridgely Car Show made a presentation to the Council. Sharing their plans for 2017, and mentioning that as they look to expand the Tour Across Caroline event prior to the car show, they may be seeking more involvement from the Towns. This was informational only, no action was taken

Downtown Denton Main Street Sign

Mr. Don Mulrine, Town Administrator, provided an update on the Downtown Denton Main Street Board design for the sign they are planning to located on the corner

of 3rd and Market Street. Mr. Mulrine shared that approval has been received from the Historic Review Committee.

Councilman Porter made a motion to approve the design as presented for the sign to be located on Third and Market. Seconded by Councilman Branson, passing unanimously.

Mayor McNinch complimented the DDMS and their success on getting Denton represented on the Route 50 Billboard Sign.

Proclamation – Ms. JohnDre Jennings, DHCD

Mayor McNinch read a proclamation extending the Town’s sincere appreciation for Ms. JohnDre Jennings, Project Manager for the State Department of Housing and Community Development (DHCD). The Mayor shared having worked with Ms. Jennings for many years on grant projects throughout Denton and how she has always been a great advocate for the Town. Ms. Jennings will be leaving DHCD, and the Town wishes her the best of luck in her future endeavors.

County Commissioner Letter – 404 and Legion Road Median

Mr. Mulrine provided an update on the responses to and from the County, and shared information on the activity going on for exploring traffic pattern changes on Legion Rd. Councilman Porter provided a history on the State’s previous requirements, which explained the present design of the intersection.

Staff will continue to research and work with State Highway Administration to come up with the best solution to keep the intersection safe for all traffic, prior to recommending any changes.

Agenda #8 - 4th Street Tennis Court

Mayor McNinch changed up the agenda, moving this item up for discussion, due to a lot of people being in attendance.

Several residents submitted letters and came in person seeking for the Council to change the hours the 4th St. tennis courts are open, back to what they previously were. Many shared their views on what being able to use the tennis courts means to the community, as well as shared concerns, and questioned why the hours were reduced, why the kids are constantly being told to be quiet when playing in the park, and why do the courts need to be locked.

Councilman Lister made a motion to change the hours to keep the park open until 9PM, seconded by Councilman Branson.

Further discussion was held in which the residents were asked to assist the Town by making sure the courts are only being used to play tennis, and to report anyone trying to use them for other activities, such as using skate boards and bicycles.

Corporal Starkey provided additional information on the Police Dept.’s responsibility to respond to all calls when received.

With no further discussion, Mayor McNinch called for a vote on the motion to keep the park open until 9PM.

The motion passed unanimously.

Ordinances and Resolutions

Ordinance #683 – Accessory Structures

An Ordinance repealing Chapter 128 Section 113, entitled, “Accessory Building Setback Requirements”, of the Town of Denton Code and adding a new section in Chapter 128, Section 26, entitled, “Accessory Structures”, hereby amending the

standards for accessory structures in residential zoned districts and establishing standards for accessory structures in nonresidential zoned districts, and amending Chapter 128 Section 184, entitled Development Types or Land Uses requiring Site Plan Approval for Accessory Structures.

Councilman Lister made a motion to accept Ordinance #683, seconded by Councilman Johnson.

In discussion, Mr. Tom Batchelor, Director of Planning & Codes, provided a synopsis of the changes this Ordinance makes to the Town Code; sharing that the Planning Commission recommendations have been incorporated.

With no further discussion, Mayor McNinch called for a vote on the motion to adopt Ordinance #683.

The motion passed unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1- Tourism Lease

Discussion was held on the lease drafted for the use of office space at the Crouse Park Visitor Center, between the Town of Denton and the Caroline Co. Tourism Office.

Mr. Mulrine and Mr. Drummond, Town Attorney, will continue to work with the Caroline Economic Development Board on the lease.

New Business

Agenda #1 –DMB, LLC/Shore Health Systems

Mr. Mulrine asked the Town Council to authorize the Mayor to sign the proposed Public Works Agreement, Inspection and Maintenance Agreement of Private Stormwater Management Facilities, and any other required legal agreements for DMB, LLC/Shore Health Systems, pending the final review by the Town Attorney.

Councilman Lister made a motion to authorize the Mayor to sign the Public Works Agreement as requested, seconded by Councilman Branson. The motion passed unanimously.

Agenda #2 –Patuxent Companies, LLC

Mr. Mulrine asked the Town Council to authorize the Mayor to sign the proposed Public Works Agreement, Inspection and Maintenance Agreement of Private Stormwater Management Facilities, and any other required legal agreements for Patuxent Companies, LLC, pending the final review by the Town Attorney.

Councilman Porter made a motion to approve the Mayor to sign the Public Works Agreement as requested, seconded by Councilman Lister, passing unanimously.

Agenda #3 – Letter of Support – Market Street Public House St. Patrick's Day Event

The Market Street Pub submitted a request seeking a letter of support for their St. Patrick's Day event on March 17, 2017.

Councilman Lister made a motion to approve signing a letter of support, seconded by Councilman Porter, passing unanimously.

Agenda #4 - Utility Commission Appointment

The Town received a letter of interest from Mr. Scott Getchell to serve on the Utility Commission Board.

Councilman Lister made a motion to appoint Mr. Scott Getchell to serve on the Utility Commission as the Chairman, seconded by Councilman Branson, passing unanimously.

Agenda #5 - WWTP Interim Financing

Mr. Mulrine provided a summary on the Interim Financing offers received for the Waste Water Treatment Plant Cell 1 renovation project.

Councilman Porter made a motion to go with the offer from Provident State Bank, selecting option #2, seconded by Councilman Lister. The motion passed with 4 votes. Councilman Johnson abstained due to his relationship with Provident in the financing for a project he has been involved in through his Church.

Mr. Mulrine shared that this item will be brought back to be officially adopted by a Resolution.

Agenda #6 - Letter of Support – Caroline Co. Public Schools

The Caroline Co. Public School Board submitted a request for a letter of support from the Denton Town Council pertaining to the potential subdivision of property at Double Hills Farm. The school system would like to construct a warehouse area and the Caroline Co. Tech School in that location. A letter from the Caroline County Commissioners outlining the details was provided.

Mr. Mulrine provided a synopsis of the project, and read a letter drafted acknowledging the Town's support for the proposed warehouse project at the Double Hills Farm. The letter also explains that the Town cannot waive the impact or connection fees.

Councilman Porter made a motion to authorize the Mayor to sign a letter of support as read, seconded by Councilman Branson, passing unanimously.

Agenda #7 - Main Street Maryland – Annual Letter of Agreement

Mr. Murine shared a copy of an annual agreement between the Town and the State's Main Street Maryland Program which outlines the responsibilities of the Town and the Downtown Denton Main Street Organization.

Mrs. Annette Litteral, DDMS Board Member, provided some additional information.

Councilman Porter made a motion to authorize the Mayor to sign the agreement between the Town and Main Street Maryland, seconded by Councilman Branson, passing unanimously.

Agenda #8 - 4th Street Tennis Court

This item was discussed earlier in the meeting.

Agenda #9 - Public Works Well Control Upgrade

The Public Works Department submitted a request to upgrade the controls for Well #1, #3 and #5, as previously approved under the Capital Outlay Budget for FY2017.

Councilman Lister made a motion to accept as presented, seconded by Councilman Branson.

In discussion, it was confirmed that the funding comes from the Utility Fund and not the General Fund. The amount being approved is for \$46,194. Staff added, this came in under the amount budgeted of \$55,000.

With no further discussion, the Mayor called for a vote on the motion to purchase. The motion passed unanimously.

Agenda #10 - Public Works Sewage Pump Purchase – Lockerman Pump Station

The Public Works Department submitted a request to purchase a spare sewage pump for the Lockerman Pump Station, as previously approved in the Capital Outlay Budget for FY2017.

Councilman Porter made a motion to purchase the pump for \$3,999.20, seconded by Councilman Lister, passing unanimously.

Miscellaneous

Mayor McNinch provided an update on the Highway User Revenue Legislation – Gas Tax Revenues, and shared that MML is working hard to get the funding back to the municipalities. Delegate Jacobs spoke in support for the municipalities.

Councilman Lister shared additional information about the cost for street repairs and the importance to get the community to reach out to the state legislators to support giving the funding back to the Town's so the streets can be repaired.

Mr. Clarence Childs, from the Fireflies Youth Group, spoke with the Council about their upcoming events and using the basketball court behind Food Lion in April. Mr. Childs inquired about obtain permission to reserve the courts.

Mr. Mulrine will work with Mr. Childs on preparing a waiver, recommended for Fireflies to submit a request to LGIT for insurance for their events.

Mr. James Baker, of N. 4th St., shared concerns about the condition of neighboring dwellings; requesting something be done to improve their appearances. He expressed that as it is now, the Bakers feel the appearance negatively affects the A&E District and his wife's business – Jan Baker's Fourth Street Gallery.

Mr. Mulrine provided an update on the properties.

Mr. Baker expressed his appreciation for the efforts of the DDMS to help his wife's business.

Mr. Mulrine will do some additional research and provide some options for the next meeting.

With no further discussion, Mayor McNinch adjourned the meeting at 8:36 PM.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*